

**Re: Seneca ADR** 

**Anthony Barber** to: Alan Henning, Janis Hastings, Judith Lee, Kathleen Veit,  
Nancy Helm, Richard Parkin, Rick Albright, Running  
Grass, Koprowski.Paul, Ted Yackulic 09/22/2009 04:37 PM

All,

I am not exactly sure who to address this to, but I wanted to let you all know that I have been talking with Keith Anderson (ODEQ Administrator for the SW Region in Eugene) and I get the clear sense that he would like himself and his staff to be more in the loop on what has been going on with this project. He knows that LRAPA (and not ODEQ) has the air lead, but still would like to know more. That seems particularly appropriate in light of Ted's comments about passing the request from OTA on to the State. I'm not completely sure I'd call this a mistake, but it seems we could have done better in communicating with ODEQ along the way on this one. I can be the conduit for that communication, if needed, and I believe Alan can also serve well in that role. I think we need to be telling Keith that this looks like it might be coming his way, if indeed that is true.


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Paul Koprowski Ted, I guess I'll throw in my two cents about the r... 09/22/2009 04:10:55 PM



**Paul  
Koprowski/R10/USEPA/US**  
09/22/2009 04:10 PM

To Ted Yackulic/R10/USEPA/US@EPA  
cc Alan Henning/R10/USEPA/US@EPA, Anthony  
Barber/R10/USEPA/US@EPA, Janis  
Hastings/R10/USEPA/US@EPA, Judith  
Lee/R10/USEPA/US@EPA, Kathleen  
Veit/R10/USEPA/US@EPA, Nancy  
Helm/R10/USEPA/US@EPA, Richard  
Parkin/R10/USEPA/US@EPA, Rick  
Albright/R10/USEPA/US@EPA, Running  
Grass/R10/USEPA/US@EPA  
Subject Re: Seneca ADR 

Ted,

I guess I'll throw in my two cents about the response letter.

I think we should respond that EPA has evaluated the situation and we don't think it's

Ted Yackulic I'd like to send a response to OTA and LRAPA a... 09/22/2009 01:13:24 PM


**Ted Yackulic/R10/USEPA/US**

**Yackulic/R10/USEPA/US**

09/22/2009 01:12 PM

To Alan Henning/R10/USEPA/US@EPA, Anthony Barber/R10/USEPA/US@EPA, Janis Hastings/R10/USEPA/US@EPA, Judith Lee/R10/USEPA/US@EPA, Kathleen Veit/R10/USEPA/US@EPA, Nancy Helm/R10/USEPA/US@EPA, Paul Koprowski/R10/USEPA/US@EPA, Richard Parkin/R10/USEPA/US@EPA, Rick Albright/R10/USEPA/US@EPA, Running Grass/R10/USEPA/US@EPA

cc

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I'd like to send a response to OTA and LRAPA about the initial ADR and existing ADR request. The initial approach (centered on the permit) does not appear viable given the LRAPA's and Seneca's reluctance to participate. The existing request (air monitoring in Eugene) is broader, involves more stakeholders and does not appear to have as strong a nexus to a federal issue as the permit. I'd like to pass the request on to the State and local government. Oregon has services that may be able to facilitate the discussion. We could also follow up on EJ and air issues through our program contacts but I don't think the existing request makes a

Does this approach sound okay? Does anyone want to help with the response? I could take an initial cut at a letter. The letter would summarize the request, our interest in supporting the initial request and our sense of whether parties are interested in the use of a neutral for the permit issue.

Thanks,

Ted

Ted Yackulic

Attorney Client Communication I spoke with Davi...

09/15/2009 11:15:51 AM


**Ted**

**Yackulic/R10/USEPA/US**

09/15/2009 11:15 AM

To Alan Henning/R10/USEPA/US@EPA, Anthony Barber/R10/USEPA/US@EPA, Janis Hastings/R10/USEPA/US@EPA, Judith Lee/R10/USEPA/US@EPA, Kathleen Veit/R10/USEPA/US@EPA, Nancy Helm/R10/USEPA/US@EPA, Paul Koprowski/R10/USEPA/US@EPA, Richard Parkin/R10/USEPA/US@EPA, Rick Albright/R10/USEPA/US@EPA, Running Grass/R10/USEPA/US@EPA

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Attorney Client Communication

I spoke with David Batson and Joanne Dea about the contract and scope issues. I learned that because of the change in scope the Office of Conflict Prevention and Resolution would have to re-consider its commitment to fund the project, and that the contract would have to be re-scoped if funded.

To re-consider funding they would need a clear idea of the issue(s), a better sense of the stakeholders (how many communities and constituent groups), commitments to fund by the Region and locals and a

sense of the federal issue (are there federal issues involved or is this local and state). David and Joanne suggested that we may receive a commitment if there was support from the Region and because of the likely change in numbers of parties and scope that the effort may increase .

Any input on the Region's commitment is appreciated.

Ted Yackulic  
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